

REMARKS

Claims 1-15 and 17-26 are now pending. Applicant has cancelled claim 16.

Applicant has added new claims 22-26. Applicant has made preliminary amendments to claims 1-8, 11-15 and 20-21 for clarification purposes only. Applicant contends that the amendments to these claims are not to be considered narrowing amendments.

Applicant contends that claims 1-26 are allowable over the prior art of record and respectfully requests allowance of these claims.

Specification

Applicant has amended four different paragraphs of the specification. The amendments made to the paragraphs on pages 3 and 20 were made for clarification purposes only. Applicant contends that these amendments do not add new matter to the specification and, therefore, are proper clarifying amendments. Each of these amendments to the specification were also made in the parent application.

The amendment made to the paragraph on page 24 added a new sentence to clarify that when the blade 144 of the second jaw 136 meets resistance with the workpiece 22, the speed pawl 196 is not capable of further advancing the blade 144 of the second jaw 136 such that the speed pawl 196 merely idles against the second jaw 136 during the opening of the levers 24, 36. Applicant has added this new sentence for clarification purposes only as the drawing figures clearly illustrate same and because the specification inherently describes same. Applicant contends that this amendment does not add new matter to the specification and, therefore, is a proper clarifying amendment.

The amendment made to the paragraph on page 27 added two new sentences to clarify

that the reverser 256 can be manually manipulated in the middle of an operating cycle and to clarify that the drive pawl 232, and at least a portion of the speed pawl 196, are positioned “inside” the tool 20 and, as such are protected by other parts of the tool 20. Applicant has added these new sentences for clarification purposes only as the drawing figures clearly illustrate same and because the specification inherently describes same. Applicant contends that this amendment does not add new matter to the specification and, therefore, is a proper clarifying amendment.

Newly Added Claims

Applicant has added new claims 22-26 herein. In the parent application, the Examiner issued a first Office Action which rejected claims on the basis of United States Patent No. 1,454,917 to Barrett, United States Patent No. 857,663 to Osborn, and/or United States Patent No. 5,526,570 to Beetz et al. and, therefore, Applicant provides a discussion hereinbelow in order to distinguish new claims 22-26 in view of these specific prior art references.

New claim 22 is independent and specifies that the advancing means are positioned on the tool such that it is protected by other parts of the tool. The Barrett design places the advancing means (the pawls) where the operator may be easily pinched by the mechanism. Conversely, the advancing means of the present invention are placed “inside” the tool, protected by other parts of the tool to minimize injury. Thus, Applicant respectfully requests consideration and allowance of independent claim 22 as Applicant contends independent claim 22 is allowable over the prior art of record.

New claim 23 is independent and specifies that the automatically returning means includes a spring-loaded pin which is constantly engaged with the advancing means in either

a first position or a second position. Barrett, Osborn and Beetz et al., neither alone, nor in any combination, disclose or suggest such a structure. Neither Osborn nor Beetz et al. disclose or suggest any type of automatic return means. Barrett has an automatic return means, but the automatic return means of Barrett does not have a spring-loaded pin which is in constant engagement with the advancing means, i.e., the pawl 33. Barrett rather has the pawl 21 which has projection 29 which is constantly engaged with the pawl 33. Thus, Applicant respectfully requests consideration and allowance of independent claim 23 as Applicant contends independent claim 23 is allowable over the prior art of record.

New claim 24 is dependent on new independent claim 23. As Applicant contends new independent claim 23 is in condition for allowance, Applicant respectfully requests consideration and allowance of claim 24.

New claim 25 is independent and requires a member which allows movement of the blade from a closed position to an open position when the member is in contact with one of the handles of the tool, but which also prevents movement of the blade from a closed position to an open position when the member is not in contact with one of the handles of the tool. It is clear that neither Barrett, Osborn or Beetz et al. disclose or suggest such a structure. Thus, Applicant respectfully requests consideration and allowance of independent claim 25 as Applicant contends independent claim 25 is allowable over the prior art of record.

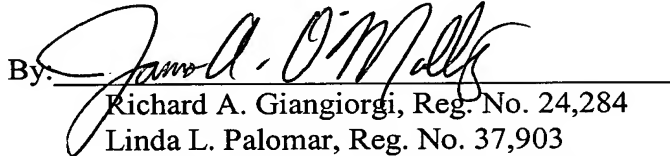
New claim 26 is dependent on new independent claim 25. As Applicant contends new independent claim 25 is in condition for allowance, Applicant respectfully requests consideration and allowance of claim 26.

In view of the above Amendments and Remarks, Applicant respectfully submits that the claims of the application are allowable over the prior art of record. Should the Examiner have any questions regarding this Amendment, the Examiner is invited to contact one of the undersigned attorneys at (312) 704-1890.

Respectfully submitted,



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